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KAPLAN & GILMAN, L.L.P. 900 ROUTE 9 NORTH WOODBIDGE, NJ 07095			ELAHEE, MD S	
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			2645	6

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/075,151

Applicant(s)

DELANEY ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 19-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 19-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed 12/10/03. Claims 1-15 and 19-36 are pending. Claims 16-18 have been cancelled.

Response to Arguments

2. Applicant's arguments with respect to claims 1-15 and 19-36 have been considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the added limitation at this time.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 4, 30, 32 and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Crowe et al. (U.S. Patent No. 6,115,460).

Regarding claim 1, Crowe teaches a database for storing a category of telephone numbers representing telephone calls to be placed over a public internet in data (i.e., packet switched) format (fig.2; col.4, lines 11-17, col.7, lines 9-16; 'database' reads on the claim 'memory' and 'public internet' reads on the claim 'data network').

Crowe further teaches processing module (i.e., processing means) for accepting a dialed telephone call directly from a device initiating the call, for determining, prior to

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the call reaching a telephone switch, whether the call is within the category, and for routing the call to the data network if so (fig.2; col.4, lines 11-17, col.6, lines 9-43, col.7, lines 9-16).

Regarding claim 4, Crowe teaches that the category is comprised of data calls in which the call originates (fig.2; col.7, lines 9-16, col.8, lines 25-29; 'data calls' reads on the claim 'calls outside of an area code').

Regarding claim 30 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Crowe teaches means for redirecting the call (i.e., substituting a different number for the telephone number) if the telephone number is within a predetermined category (i.e., class) of numbers (fig.2; col.7, lines 9-16, col.8, lines 25-29).

Crowe further teaches means responsive to the means for redirecting (i.e., substituting) for establishing a call from the switch (i.e., apparatus) to a remote terminal (i.e., second apparatus) at the proper channel (i.e., substituted different number using out of band signaling) (fig.2; col.7, lines 9-49, col.8, lines 25-29).

Crowe further teaches means responsive to the establishing means for transmitting the dialed number in band to the remote terminal (i.e., second apparatus) (fig.2; col.7, lines 9-49).

Regarding claim 32, Crowe teaches that the second apparatus is a computer (fig.2; col.7, lines 9-49).

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Neyman (U.S. Patent No. 6,215,783).

Regarding claim 10, Neyman teaches receiving the call directly from a PSTN caller (i.e., device) initiating the call and examining a dialed number associated with a call prior to the call reaching a Trunk gateway (col.8, lines 66, 67, col.9, lines 1-6; 'Trunk gateway' reads on the claim 'telephone switch').

Neyman further teaches that if the number is within a pre-defined criteria, conveying the telephone call to a first remotely located Trunk gateway over a data network (col.9, lines 1-6; 'pre-defined criteria' reads on the claim 'predetermined class of numbers' and 'Trunk gateway' reads on the claim 'telephone switch').

Neyman further teaches that if the number is not within the pre-defined criteria, conveying the telephone call to a second remotely located Trunk gateway over a telephone network (col.9, lines 1-6; 'pre-defined criteria' reads on the claim 'predetermined class of numbers' and 'Trunk gateway' reads on the claim 'telephone switch').

Regarding claim 11, Neyman teaches that the remote Trunk gateway is reached via a Trunk gateway, and wherein the determination of which of the Trunk gateway is utilized to reach the remote Trunk gateway is made at least in part by comparing a predetermined subset of digits contained in a called telephone number (col.8, lines 61-67, col.9, lines 1-6; 'Trunk gateway' reads on the claim 'either a telephone switch, a first terminating gateway, or a second terminating gateway').

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7. Claims 12 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Gordon et al. (U.S. Patent No. 4,905,273).

Regarding claim 12, Gordon teaches a process intermediary (i.e., router) connected directly to a transmitter (i.e., device) initiating the calls, the process intermediary being programmed to examine dialed numbers associated with calls prior to the calls reaching a PSTN (i.e., telephone switch), the process intermediary further being programmed to separate long distance calls from local calls, the process intermediary further being programmed to transmit some of the long distance calls and all of the local calls over a circuit switching network, and the remainder of the long distance calls over a data network (i.e., packet switching network) (abstract; fig.1; col.2, line 35-col.3, line17, col.3, lines 32-36).

Regarding claim 34, Gordon teaches that process intermediary (i.e., apparatus) for processing dialed numbers and conveying them to a network to complete calls, the process intermediary comprising transmitting the dialed number to the network using in band signaling if the dialed number represents a long distance call, and transmitting the dialed number to the network using out of band signaling if the dialed number represents a local call, wherein the process intermediary is directly connected to a transmitter (i.e., device) initiating the calls, and further comprises process intermediary (i.e., means) for examining the dialed number prior to the calls reaching a PSTN (i.e., telephone switch) (abstract; fig.1; col.2, line 35-col.3, line17, col.3, lines 32-36).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 3, 31 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crowe et al. (U.S. Patent No. 6,115,460) and in view of Chang et al. (U.S. Pub No. 2003/0095542).

Regarding claim 2, Crowe fails to teach "said data network includes plural originating gateways, and wherein said memory stores information concerning which of said plural originating gateways to utilize to access said data network". Chang teaches that the IP network includes plural originating gateways, and wherein the database stores information concerning which of the plural originating gateways to utilize to access the IP network (abstract; fig.1, fig.58; page 27, paragraph 0301, page 28, paragraph 0303; 'IP network' reads on the claim 'data network' and 'database' reads on the claim 'memory'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Crowe to allow the data network including plural originating gateways, and wherein the memory stores information concerning which of the plural originating gateways to utilize to access the data network as taught by Chang. The motivation for the modification is to have doing so in order to forward the different types of calls to the proper gateway.

Regarding claim 3, Crowe fails to teach "each of said originating gateways is capable of communicating over a data network to plural terminating gateways". Chang teaches that each of the originating gateways is capable of communicating over an IP network to plural terminating gateways (abstract; fig.1, fig.58; page 27, paragraph 0301,

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page 28, paragraph 0303; 'IP network' reads on the claim 'data network'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Crowe to allow each of the originating gateways being capable of communicating over a data network to plural terminating gateways as taught by Chang. The motivation for the modification is to have doing so in order to route the calls to the from the originating gateway to the terminating gateway.

Regarding claim 31, Crowe fails to teach "said second apparatus is a gateway". Chang teaches that the second apparatus is a gateway (page 25, paragraph 0267, page 27, paragraph 0301, page 28, paragraph 0303). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Crowe to allow the second apparatus being a gateway as taught by Chang. The motivation for the modification is to have doing so in order to route the calls to the originating gateway.

Regarding claim 33, Crowe fails to teach "said second apparatus communicates over the data network with plural computers to perform authentication and verification prior to completing a call". Chang teaches that the second apparatus communicates over the data network with plural computers to perform authentication and verification prior to completing a call (abstract; page 25, paragraph 0267, page 27, paragraph 0301). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Crowe to allow the second apparatus communicating over the data network with plural computers to perform authentication and verification prior to completing a call as taught by Chang. The motivation for the modification is to have doing so in order to route the calls to the proper destination.

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10. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crowe et al. (U.S. Patent No. 6,115,460) and in view of Girard (U.S. Pub No. 2002/0176404).

Regarding claims 5 and 6, Crowe fails to teach "said operations center being capable of altering information stored within said memory and implementing changes to said category of telephone numbers". Girard teaches the operations center being capable of modifying information stored within the database and implementing changes to the category of telephone numbers (abstract; page 8, paragraph 0097, page 16, paragraph 0208; 'modifying' reads on the claim 'altering' and 'database' reads on the claim 'memory'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Crowe to allow operations center being capable of altering information stored within said memory and implementing changes to said category of telephone numbers as taught by Girard. The motivation for the modification is to have doing so in order to generate the updated information.

11. Claims 7-9, 19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neyman (U.S. Patent No. 6,215,783) and in view of Chang et al. (U.S. Pub No. 2003/0095542).

Regarding claim 7, Neyman teaches receiving the call directly from a PSTN caller (i.e., device) initiating the call and examining, prior to the call reaching a Trunk gateway (i.e., telephone switch), a received telephone number to ascertain whether a particular property is present (col.8, lines 66, 67, col.9, lines 1-6).

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Neyman further teaches that if so, routing the call to a Data gateway, and if not, routing the call to a Trunk gateway (col.9, lines 1-6; 'Data gateway' reads on the claim 'originating gateway' and 'Trunk gateway' reads on the claim 'telephone switch').

However, Neyman fails to teach "if the call is routed to the originating gateway, examining the telephone number again to determine to which of a plurality of terminating gateways the call should be routed". Chang teaches that if the call is routed to the caller gateway server, examining the telephone number again to determine to which of a plurality of called gateway servers the call should be routed (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'caller gateway server' reads on the claim 'originating gateway' and 'called gateway servers' reads on the claim 'terminating gateways'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to allow examining the telephone number again to determine to which of a plurality of terminating gateways the call should be routed as taught by Chang. The motivation for the modification is to have doing so in order to provide the proper utilization of the resources.

Regarding claim 8, Neyman fails to teach "said originating gateway makes said determination of said terminating gateway in conjunction with other gateways". Chang teaches that the caller gateway server, makes the determination of the called gateway server in conjunction with other gateway servers (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'caller gateway server' reads on the claim 'originating gateway' and 'called gateway servers' reads on the claim 'terminating gateways'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to allow the originating gateway making the determination of

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said terminating gateway in conjunction with other gateways as taught by Chang. The motivation for the modification is to have doing so in order to provide the proper utilization of the resources.

Regarding claim 9, Neyman fails to teach "reallocating traffic among plural terminating gateways". Chang teaches reallocating traffic among plural called gateway servers (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'called gateway servers' reads on the claim 'terminating gateways'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to reallocate traffic among plural terminating gateways as taught by Chang. The motivation for the modification is to have doing so in order to handle a high volume of traffic.

Regarding claim 19, Neyman teaches receiving a dialed number associated with the call and examining the dialed number prior to the call reaching a Trunk gateway (i.e., telephone switch) by an IP router directly connected to a PSTN caller (i.e., device) initiating the call (col.8, lines 38- 51; 'IP router' reads on the claim 'router').

Neyman further teaches parking the dialed number at the IP router (col.8, lines 38- 51; 'IP router' reads on the claim 'router').

Neyman further teaches transmitting the dialed number from the router to an originating gateway (e.g. either Data gateway or Trunk gateway) (col.9, lines 1-6).

Neyman further teaches parking the dialed number at the originating gateway (e.g. either Data gateway or Trunk gateway) (col.9, lines 1-6).

However, Neyman fails to teach "finding an optimum terminating gateway to accept said call over said data network". Chang teaches finding an optimum called

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gateway server to accept the call over the data network (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'called gateway server' reads on the claim 'terminating gateway'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to find an optimum terminating gateway to accept the call over the data network as taught by Chang. The motivation for the modification is to have doing so in order to provide the proper utilization of the resources.

Neyman further fails to teach "sending the dialed number from the first gateway to a second gateway over said data network". Chang teaches sending the dialed number from the caller gateway server to a called gateway server over the data network (fig. 3A, fig.58; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'caller gateway server' reads on the claim 'first gateway' and 'called gateway server' reads on the claim 'second gateway'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to send the dialed number from the first gateway to a second gateway over the data network as taught by Chang. The motivation for the modification is to have doing so in order to convert one format of data to another format suitable for the routing over the network.

Neyman further fails to teach "connecting the call to a terminal identified by the dialed number". Chang teaches connecting the call to a terminal identified by the dialed number (page 28, paragraph 0303). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to connecting the call to a terminal identified by the dialed number as taught by Chang. The motivation for the modification is to have doing so in order to redirect the call to the proper destination.

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Regarding claim 24, Neyman fails to teach "locating an optimum terminating gateway". Chang teaches locating a called gateway server (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'called gateway server' reads on the claim 'optimum terminating gateway'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to locate an optimum terminating gateway as taught by Chang. The motivation for the modification is to have doing so in order to handle a high volume of traffic.

12. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gordon et al. (U.S. Patent No. 4,905,273) and in view of Neyman (U.S. Patent No. 6,215,783).

Regarding claim 13, Gordon fails to teach "a plurality of originating gateways, at least one of which is in communication with said router for converting circuit switched calls to packet switched calls, and for routing same over a data network". Neyman teaches a plurality of originating gateways, at least one of which is in communication with the router for converting circuit switched calls to packet switched calls, and for routing same over a data network (col.9, lines 1-6). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gordon to allow a plurality of originating gateways, at least one of which is in communication with the router for converting circuit switched calls to packet switched calls, and for routing same over a data network as taught by Neyman. The motivation for the modification is to have doing so in order to generate packets over the data network.

Regarding claim 14, Gordon fails to teach "a terminating gateway to convert telephone calls from a packet switching format on said data network to a circuit switching

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format, and to place said calls in circuit switching format on said telephone network". Neyman teaches a terminating gateway to convert telephone calls from a packet switching format on the data network to a circuit switching format, and to place the calls in circuit switching format on the PSTN (abstract; col.9, lines 1-6; 'PSTN' reads on the claim 'telephone network'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gordon to allow a terminating gateway to convert telephone calls from a packet switching format on said data network to a circuit switching format, and to place said calls in circuit switching format on said telephone network as taught by Neyman. The motivation for the modification is to have doing so in order to convert one format of data to another format suitable for the routing over the network.

13. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gordon et al. (U.S. Patent No. 4,905,273) and in view of Neyman (U.S. Patent No. 6,215,783) and further in view of Smith (U.S. Pub No. 2003/0123632).

Regarding claim 15, Gordon in view of Neyman fails to teach "each of said terminating gateways incurs a charge as a result of terminating said calls, and wherein changes in such charges are utilized to update routing information stored in said router". Smith teaches that each of the terminating gateways incurs a charge as a result of terminating the calls, and wherein changes in such charges are utilized to update routing information stored in the router (page 3, paragraphs 0025). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chang in view of Neyman to allow each of the terminating gateways incurs a charge as a result of terminating said calls, and wherein changes in such charges are utilized to

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update routing information stored in the router as taught by Smith. The motivation for the modification is to have doing so in order to provide the proper charges for the telephone calls.

14. Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neyman (U.S. Patent No. 6,215,783) and in view of Chang et al. (U.S. Pub No. 2003/0095542) and further in view of Galvin (U.S. Patent No. 6,134, 315).

Regarding claim 20, Neyman in view of Chang fails to teach “acquiring the caller's number and determining if the caller is authorized”. Galvin teaches acquiring the caller's number and determining if the caller is authorized (abstract; col.4, lines 10-22, 42-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to determine if the caller is authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 21, Neyman in view of Chang fails to teach “transmitting the calling number from the router to a computer”. Galvin teaches transmitting the calling number from the router to a processor (abstract; col.4, lines 10-53; ‘processor’ reads on the claim ‘computer’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to transmit the calling number from the router to a computer as taught by Galvin. The motivation for the modification is to have doing so in order to match the identity of the user.

Neyman in view of Chang fails to teach “accessing a database associated with the computer”. Galvin teaches accessing a database associated with the processor (abstract; col.4, lines 10-53; ‘processor’ reads on the claim ‘computer’). Thus, it would have been

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obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to accessing a database associated with the computer as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Neyman in view of Chang fails to teach "comparing a calling number to information stored in the database". Galvin teaches comparing a calling number to information stored in the database (abstract; col.4, lines 10-53). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to compare a calling number to information stored in the database as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 22, Neyman in view of Chang fails to teach "sending an authorization to the router if the caller is authorized". Galvin teaches sending an authorization to the router if the caller is authorized (abstract; fig.2; col.4, lines 10-53). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to send an authorization to the router if the caller is authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 23, Neyman in view of Chang fails to teach "terminating the call if the caller is not authorized". Galvin teaches terminating the call if the caller is not authorized (fig.2; col.8, lines 42-44). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to terminate the call if the caller is not authorized as taught by Galvin. The motivation for

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the modification is to have doing so in order to make sure the authorized person is using the network.

15. Claims 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neyman (U.S. Patent No. 6,215,783) and in view of Galvin (U.S. Patent No. 6,134,315) and further in view of Chang et al. (U.S. Pub No. 2003/0095542).

Regarding claim 25 is rejected for the same reasons as discussed above with respect to claim 19. Furthermore, Neyman fails to teach "determining if the caller is authorized". Galvin teaches determining if the caller is authorized (abstract; col.4, lines 10-22, 42-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to determine if the caller is authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Neyman further teaches sending the dialed number from the router to a first gateway (e.g. either Data gateway or Trunk gateway) (col.9, lines 1-6).

Neyman in view of Galvin further fails to teach "sending the dialed number from the first gateway to a second gateway over said data network". Chang teaches sending the dialed number from the caller gateway server to a called gateway server over the data network (fig. 3A, fig.58; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'caller gateway server' reads on the claim 'first gateway' and 'called gateway server' reads on the claim 'second gateway'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Galvin to send the dialed number from the first gateway to a second gateway over the data network as

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taught by Chang. The motivation for the modification is to have doing so in order to convert one format of data to another format suitable for the routing over the network.

Regarding claim 26, Neyman fails to teach “acquiring the calling number by the router and transmitting the calling number from the router to a computer”. Galvin teaches acquiring the calling number by the router and transmitting the calling number from the router to a computer (abstract; col.4, lines 10-53; ‘processor’ reads on the claim ‘computer’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to acquire the calling number by the router and transmitting the calling number from the router to a computer as taught by Galvin. The motivation for the modification is to have doing so in order to match the identity of the user and to make sure the authorized person is using the network.

Regarding claim 27, Neyman in view of Galvin fails to teach “selecting a terminating gateway”. Chang teaches selecting a called gateway server (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; ‘called gateway server’ reads on the claim ‘terminating gateway’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Galvin to select a terminating gateway as taught by Chang. The motivation for the modification is to have doing so in order to handle the traffic.

Regarding claim 28, Neyman fails to teach “sending an authorization to the router if the caller is authorized”. Galvin teaches sending an authorization to the router if the caller is authorized (abstract; col.4, lines 10-22, 42-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to send an authorization to the router if the caller is authorized as taught by Galvin. The

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motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 29, Neyman fails to teach “terminating the call if the caller is not authorized”. Galvin teaches terminating the call if the caller is not authorized (fig.2; col.8, lines 42-44). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to terminate the call if the caller is not authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

16. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gordon et al. (U.S. Patent No. 4,905,273) and in view of Girard (U.S. Pub No. 2002/0176404).

Regarding claim 35, Gordon fails to teach “said network operations center configured to update stored information in said apparatus over a data network”. Girard teaches the network operations center configured to modify update stored information in the apparatus over a data network (abstract; page 8, paragraph 0097, page 16, paragraph 0208; ‘modify’ reads on the claim ‘update’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gordon to allow network operations center configured to update stored information in the apparatus over a data network as taught by Girard. The motivation for the modification is to have doing so in order to generate the updated information.

17. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gordon et al. (U.S. Patent No. 4,905,273) and in view of Girard (U.S. Pub No. 2002/0176404) and further in view of Chang et al. (U.S. Pub No. 2003/0095542).

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Regarding claim 36, Gordon teaches that dialed numbers transmitted in band are transmitted to a PSTN (i.e., telephone switch) (abstract; fig.1; col.2, line 35-col.3, line17, col.3, lines 32-36).

However, Gordon in view of Girard fails to teach “dialed numbers transmitted out of band are transmitted to a gateway”. Chang teaches that dialed numbers transmitted out of band are transmitted to a gateway (page 25, paragraph 0267). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gordon in view of Girard to allow dialed numbers transmitted out of band are transmitted to a gateway as taught by Chang. The motivation for the modification is to have doing so in order to route the call to the destination through appropriate gateway.

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [shafiulalam.elahee@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Any response to this action should be mailed to:

Box AF

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Washington, DC 20231

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or faxed to:

(703) 308-5397 (for formal communications intended for entry; please mark

"EXPEDITED

PROCEDURE")

(703) **306-5406** (for informal or draft communications, such as proposed amendments

to be

discussed at an interview; please label such communications "PROPOSED" or

"DRAFT")

or hand-carried to:

Crystal Park Two

2121 Crystal Drive

Arlington, VA.

Sixth Floor (Receptionist)

M.E.

MD SHAFIUL ALAM ELAHEE

February 20, 2004

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SUPERVISOR, PATENT EXAMINER
TECHNOLOGY CENTER 2600

